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December 15, 2017

Via ECF

Hon. Alison J. Nathan
United States District Court
Southern District of New York
40 Foley Square, Room 2102
New York, NY 10007

Re: *Citizens Asset Finance, Inc. v. Justice Aviation, LLC, et al.*, Case No. 1:17-cv-07115-AJN
Your Honor:

In accordance with the Court's December 4, 2017 Order (DN33) as amended on December 14, 2017 (DN34), defendant Justice Aviation LLC does not intend to file an amended pleading in light of Plaintiff's motion to dismiss its counterclaim, and will rely on the pleading being attacked. Justice Aviation LLC has filed its response to plaintiff's motion to dismiss today.

The undersigned misread the December 4, 2017 order as requiring notification only if the defendant *did* intend to amend the pleading, and apologizes for the oversight.

Respectfully submitted,



John H. Dwyer, Jr.

JHD/bgb